



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

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November 26, 2003

IN REPLY PLEASE

REFER TO FILE: **MP-5**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF INTENTION TO VACATE FIRST, SECOND, AND THIRD STREETS
NORTH OF SYRACUSE AVENUE - ACTON
FUTURE PUBLIC HEARING
SUPERVISORIAL DISTRICT 5
3 VOTES**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER AND
THE DIRECTOR OF PARKS AND RECREATION THAT YOUR BOARD:**

1. Adopt the enclosed Resolution of Intention to Vacate, with reservations, portions of First, Second, and Third Streets, north of Syracuse Avenue, in the unincorporated County area known as Acton, pursuant to Section 8320, et seq., of the California Streets and Highways Code.
2. Set the matter for hearing not less than 15 days from the adoption of the Resolution pursuant to Section 8320 of the California Streets and Highways Code.
3. Instruct the Executive Officer of the Board to publish the enclosed Notice of Proposed Vacation pursuant to Section 8322 of the California Streets and Highways code.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the enclosed Resolution to Conditionally Vacate on the date of the hearing, pursuant to Section 8324 of the Streets and Highways Code, after finding that:

1. The vacation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. The areas proposed to be vacated are no longer needed for present or prospective public use including bicycle paths and trails.
3. The public convenience and necessity require the reservation and exception of easements and rights as set forth in Section 8340 of the California Streets and Highways Code.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Public Works, in collaboration with the Chief Administrative Officer and the Department of Parks and Recreation, initiated this vacation to remove from the record all public easement rights within First, Second, and Third Streets. Parks and Recreation proposes to develop the area as a community park that will provide passive and active year-round recreation opportunities to serve the Acton Community. To carry out this objective would require the vacation and abandonment of the public street easements separating the properties into three areas. The vacation would consolidate the County properties into one suitable area.

It is in the County's interest to vacate the excess rights of way since they no longer serve the purpose for which they were dedicated nor are they required for general public access or circulation. The vacation will not deny access to any properties nor negatively impact the surrounding properties.

Implementation of Strategic Plan Goals

This action is consistent with the County's Strategic Plan Goal of Service Excellence. By vacating and allowing the public street easements to merge with the adjoining properties, the County becomes an accessory to the construction of a community park, which helps improve the quality of life of the residents in the immediate area.

FISCAL IMPACT/FINANCING

Vacation of the public street easements will not have a negative fiscal impact on the County's budget. Because this is a County-initiated project, the vacation fee has been waived as provided for in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule).

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The areas to be vacated contain approximately 94,070 square feet and are shown on the map attached to each Resolution.

The County's interest was acquired by dedication on the Maps of Tract of Acton and Lenore Tract, recorded in Book 52, page 7, and in Book 13, page 118, on May 13, 1892, and December 23, 1907, respectively, of Maps on file in the Office of the Recorder of the County of Los Angeles, as easements for street and highway purposes.

The Public Streets, Highways, and Service Easement Vacation Law allows your Board to voluntarily relinquish the County's interest and terminate the public's right over a street or highway. Adoption by your Board of the Resolution to Vacate will terminate the rights of the public to the vacated areas and disposes of excess County right of way. Your action will also result in the properties being unencumbered of the public easement, thereby allowing the County to utilize the vacated rights of way for park purposes and merge the west half of First Street with the property on the west.

ENVIRONMENTAL DOCUMENTATION

With respect to CEQA, this proposed vacation is categorically exempt, as specified in Class 12 and 21(a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Sections 15312 and 15321 of State CEQA Statutes and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation of the rights of way are not in conflict with the County-Adopted General Plan and that the rights of way are not suitable for bicycle paths and trails. Existing easement rights for water pipelines and appurtenances and ingress and egress purposes will be reserved to the

The Honorable Board of Supervisors
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Los Angeles County Waterworks District No. 37 within First Street. In addition, the vacation will also be subject to the reservation of future streets and trails in favor of the County of Los Angeles.

CONCLUSION

This action is in the County's best interest. Enclosed are a Resolution of Intention and a Resolution to Vacate, approved as to form by County Counsel, vacating First, Second, and Third Streets, north of Syracuse Avenue. Upon adoption of the Resolution of Intention, please transmit two conformed copies of the Resolution and the Notice of Proposed Vacation to Public Works, which will post the Notice pursuant to Streets and Highways Code Section 8323. Upon adoption of the Resolution to Vacate with Reservations, please return one executed original, together with two conformed copies and a copy of the Board's minute order, for further processing. Public Works will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed copy for your files.

One approved copy of this letter is requested to be returned to the Chief Administrative Office, Capital Projects Division, Parks and Recreation, and Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

DAVID E. JANSSEN
Chief Administrative Officer

TIM GALLAGHER
Director of Parks and Recreation

RM:fr
5/Brdltr RM2806

Enc.

cc: Chief Administrative Office
County Counsel
Department of Parks and Recreation

RESOLUTION OF INTENTION TO VACATE

WHEREAS, it is proposed that portion of First, Second, and Third Streets, north of Syracuse Avenue be vacated as public highways; and

WHEREAS, the proposed vacation has been recommended and approved by the Chief Administrative Officer of the County of Los Angeles, the Director of the County of Los Angeles Department of Public Works and the Department of Parks and Recreation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California, that it is the intention of said Board of Supervisors to order that the aforementioned public highways (rights of way) legally described _____ in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference covering the rights of way in the County of Los Angeles, State of California, be vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, the _____ day of _____, 20_____, at the hour of _____ a.m./p.m. of said day, is the day and hour, and the Hearing Room of the Board of Supervisors, 381 Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, is the place fixed by the Board of Supervisors when and where any and all persons having objections to the proposed vacation may appear before the said Board of Supervisors and show cause why said proposed vacation should not be made in accordance with this Resolution.

IT IS FURTHER ORDERED that a notice of such proposed vacation is to be conspicuously posted, along the line of the areas proposed to be vacated in the manner and in the form required by law, and shall cause same to be published in _____, a newspaper of general circulation published in the County, for at least two successive weeks prior to the day fixed for the hearing.

The foregoing Resolution was on the _____ day of _____, 20_____, adopted and ordered by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

By _____
Deputy

**NOTICE OF PROPOSED VACATION OF
A PORTION OF FIRST, SECOND, AND THIRD STREETS
NORTH OF SYRACUSE AVENUE IN THE VICINITY OF ACTON, IN THE
FIFTH SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a Resolution of Intention was adopted by the Board of Supervisors of the County of Los Angeles on _____, 20_____, declaring its intention to vacate portion of the First, Second, and Third Streets, north of Syracuse Avenue (Acton, California 93510) in the Fifth Supervisorial District, as described in Exhibit "A," attached hereto and incorporated herein by reference.

A hearing on the proposed vacation will be held in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, on_____ day of _____, 20_____, at the hour of _____ a.m./p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, adopted _____, 20_____.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By_____ Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By_____ Deputy

RVM:fr
6/Brdltr RM2806

RESOLUTION TO VACATE

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, did on _____, 20_____, adopt the Resolution of Intention to vacate as public highways/easements portion of First, Second, and Third Streets north of Syracuse Avenue in the vicinity of Acton in the County of Los Angeles, State of California, legally described in Exhibit "A" and shown by map in Exhibit "B" attached to said Resolution; pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; and

WHEREAS, pursuant to said Resolution, notice of proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation _____, 20_____; and

WHEREAS, said Board of Supervisors has found and determined that, the areas to be vacated are no longer necessary for present or prospective public use based upon the following facts: That the subject rights of way are not required for general public access, circulation, including bicycle paths and trails.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced rights of way are hereby vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; reserving and excepting therefrom future streets, easement for trail purposes, and for water pipelines and appurtenances and ingress and egress purposes to the County of Los Angeles, as set forth in Section 8340 and 8341 of said Streets and Highways Code.

AND BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the Office of the Recorder of the County of Los Angeles, at which time the areas vacated will no longer be public highways.

The foregoing Resolution was on the _____ day of _____, 20_____, adopted by the Board of Supervisors of the County of Los Angeles, State of California.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

By _____
Deputy

**FIRST, SECOND, AND THIRD STREETS
AMB 3208-020
T.G. 4465 A/B 2
I.M. 64 C/6 (279-217)
S.D. 5
M0376108**

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1 (FIRST STREET):

That certain portion of FIRST STREET as shown on THE TOWN OF ACTON and acreage lots adjoining, recorded in Book 52, page 7, of Miscellaneous Records, in the Office of the Recorder of the County of Los Angeles, lying northerly of a line parallel, concentric and 30 feet northeasterly, of the center line of Escondido Canyon Road as shown on Clerk's Filed Map No. 2394, Sheet 2, on file in the office of the Director of the Department of Public Works of said County.

RESERVING therefrom an easement for future street, the northerly 30 feet and the southwesterly 10 feet thereof.

ALSO RESERVING therefrom an easement for trail purposes, the northeasterly 12 feet of the southwesterly 22 feet thereof.

ALSO RESERVING an easement within FIRST STREET to County of Los Angeles Waterworks District No. 37, Acton, for water pipelines and appurtenances and ingress/egress purposes.

PARCEL 2 (SECOND STREET):

That certain portion of SECOND STREET as shown on LENORE TRACT, recorded in Book 13, page 118, of Maps, in the office of said recorder, lying northerly of a line concentric and 30 feet northeasterly of above-mentioned center line of Escondido Canyon Road.

RESERVING therefrom an easement for future street, the northerly 30 feet and the southerly 10 feet thereof.

ALSO RESERVING therefrom an easement for trail purposes, the northerly 12 feet of the southerly 22 feet thereof.

PARCEL 3 (THIRD STREET):

THIRD STREET as shown on said last-mentioned tract.

RESERVING therefrom an easement for future street, the northerly 30 feet and the southerly 10 feet thereof.

Description Approved:

JAMES A. NOYES
Director of Public Works

By _____
Deputy

RVM:sl
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